

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA)	
)	
vs.)	CASE NO. 02:06cr144-WKW-SRW
)	
PAUL MEREZ GRAHAM)	

UNOPPOSED MOTION TO CONTINUE
THE SUPPRESSION HEARING SET ON NOVEMBER 17, 2006

Comes now the United States of America, by and through Leura G. Canary, United States Attorney for the Middle District of Alabama, and respectfully submits this unopposed motion to continue the suppression hearing set on November 17, 2006, and as grounds state the following:

1. The grand jury returned a seven-count superseding indictment against Paul Merez Graham on August 15, 2006. (Doc. 19).
2. After the initial indictment and before the superseding indictment, the defendant filed a motion to suppress on August 10, 2006, (Doc. 19), and a motion to suppress (addendum) on September 12, 2006. (Doc. 30).
3. The government filed its response to the defendant's motions to suppress on September 22, 2006. (Doc. 22). On October 2, 2006, the Court issued an order setting an evidentiary hearing on November 17, 2006, at 8:45 a.m. (Doc. 36).
4. The undersigned counsel spent November 2-9, 2006, in trial in Macon, Georgia in the United States District Court for the Middle District of Georgia in the case of the United States of America v. Garvis M. Youngblood and Lois Youngblood. Further, Friday, November 10, 2006, was a holiday. The undersigned counsel returned to the office on Monday, November 13, and began preparation for two guilty pleas, a motion to suppress, two grand jury indictments and

proposed guilty pleas on two additional cases.

5. The undersigned counsel contacted one of its necessary witnesses, Tommy Conway, and learned that he had a scheduled trip out of the state beginning Thursday, November 16, 2006.

6. The undersigned contacted defense counsel Tommy Goggans, who stated that he did not oppose continuing the suppression hearing. Attorney Goggans and the undersigned agreed that December 1, 2006, after 10:00 a.m. is open for both parties, provided this date is convenient for the Court. In addition, all of the government's witnesses, with one exception, have stated that they are available on December 1, 2006.

7. The undersigned respectfully requests that the Court will grant this unopposed motion to continue the evidentiary hearing. The defendant has filed a waiver of speedy trial, and this case has been continued to the January 8, 2006, trial term. The defendant will not be prejudiced by the granting of this motion.

Respectfully submitted on this 15th day of November 2006.

LEURA G. CANARY
UNITED STATES ATTORNEY

s/Tommie Brown Hardwick
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CERTIFICATE OF SERVICE

I hereby certify that on November 15, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: Thomas M. Goggans, Esq.

s/Tommie Brown Hardwick
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